

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

No. 3:22-CV-0191-MOC-DCK

KANAUTICA ZAYRE-BROWN,)	
)	
Plaintiff,)	
)	
v.)	AFFIDAVIT OF CHRISTINA MINGO
)	
THE NORTH CAROLINA DEPARTMENT)	
OF PUBLIC SAFETY, et al.,)	
)	
Defendants.)	

I, Christina Mingo, am an adult over the age of 18 years, have never been judged incompetent, and testify to the following based on my personal knowledge and expertise.

1. I make this affidavit of my own free will, stating facts of which I have personal knowledge, except as to those matters stated herein upon information and belief, and as to those, I believe them to be true.

2. I serve as the Security Specialist for the North Carolina Department of Public Safety, Division of Adult Corrections. I have held this position for one (1) year. I have worked for the Department of Public Safety in the field of corrections for fourteen (14) years.

Plaintiff's Housing Assignment History

3. On October 10, 2017, Plaintiff was housed at Craven Correctional Institution ("Craven CI"), where she remained until November 2, 2017.

4. While housed at Craven CI, Plaintiff slept in a dorm that housed 34 other offenders.

5. On November 2, 2017, Plaintiff transferred to Harnett Correctional Institution ("Harnett CI"), where she remained until March 28, 2019.

6. While housed at Harnett CI, Plaintiff slept in a dorm that housed 34 other offenders from November 2, 2017, to March 2, 2019.

7. From March 2, 2019, through March 28, 2019, Plaintiff was housed in a single cell.

8. On March 28, 2019, Plaintiff was transferred to Warren Correctional Institution ("Warren CI"), where she remained until August 15, 2019. She slept in a single cell for that entire period.

9. On August 15, 2019, Plaintiff was transferred to an all-female unit at Anson Correctional Institution ("Anson CI"), where she is currently incarcerated. Since arriving at Anson, Plaintiff has slept in a single cell for the entire period.

10. On December 11, 2020, Plaintiff was briefly transferred to North Carolina Correctional Institution for Women ("NCCIW") until January 5, 2021. While at NCCIW, Plaintiff slept in a single cell with access to a single cell shower.

11. When an incarcerated individual makes reports to correctional staff that they have been the victim of physical violence or sexual assault, Department policy requires that a staff document the report. Moreover, various Department policies require that such reports be investigated.

12. Since the beginning of her most recent incarceration, there are no documents indicating that Plaintiff has reported being the victim of physical violence or sexual assault.

Incident on March 2, 2019 (Harnett C.I.)

13. On March 2, 2019, while housed at Harnett CI, Plaintiff was transported to the local emergency room after she was discovered in her bunk yelling and screaming that she was going to die. Prior to being transported to the local emergency room, Plaintiff was taken to the sergeant's

office where she vomited, and then became combative with staff as they took her to the medical unit.

14. During a medical screening, Plaintiff mentioned more than once being high stating that she smoked something out of a pipe. Medical staff at the facility could not take Plaintiff's vitals because she was thrashing about. The on-call physician ordered Plaintiff transferred to the local emergency room.

15. During transport, EMS personnel reported that Plaintiff was hysterical, kicking, and screaming. At the emergency room, Plaintiff was given a sedative, at which point medical records indicate that Plaintiff reported that she was "only doing this to get" transferred to a female facility. Plaintiff then refused a medical work up, including a blood test, signed an "against medical authorization" release form, and demanded to be sent back to the facility.

16. Upon her return to Harnett CI, Plaintiff denied any suicidal ideation. Plaintiff was charged with multiple serious prison disciplinary offenses. She pled guilty to the charge of possession of a substance and the other charges were dismissed.

Incident on August 6, 2019 (Warren C.I.)

17. On August 6, 2019, Plaintiff was again sent to the local emergency room after she was found in her bunk unresponsive but breathing. Staff at the facility suspected that Plaintiff might have used K2. At the medical unit, Plaintiff appeared to have vomited and reported that her mind was gone. Medical staff ordered her taken to the local emergency room.

18. Records indicate that at the local emergency room, Plaintiff reported that she was more stressed than normal, and connected that stress to an impending transfer to a female facility. The hospital staff assumed that Plaintiff passed out after an episode of nausea and vomiting and discharged her back to the facility after evaluation.

19. Upon her return from the emergency room, Plaintiff threatened to harm because she did not want to be placed in restrictive housing for investigation of her suspected use of K2. As a result of those threats, Plaintiff was placed on self-injurious behavior precautions. Plaintiff was taken off self-injurious behavior precautions the next day, after she reported that she had a breakdown due to her impending transfer, attributed her increased emotionality to her “hormones,” and affirmed that she never attempted suicide and values her life.

20. On August 15, 2019, Plaintiff was transferred from Warren CI, a male facility, to Anson CI, a female facility.

Incident of December 8 – 11, 2020 (Anson C.I. and NCCIW)

21. On December 8, 2020, Plaintiff was placed in restrictive housing at Anson CI after an apparent assault on another incarcerated person.

22. On December 11, 2020, Plaintiff was sent to the inpatient mental health unit at NCCIW following a voluntary transfer form executed by Plaintiff and one of her mental health providers. Plaintiff reported that she felt bad and was trying to mutilate herself. Plaintiff’s mental health provider noted that a recent episode had increased Plaintiff’s dysphoria, which has been getting worse since August. Plaintiff reported isolating from others and having thoughts of self-harm.

23. Within one day of being admitted to the inpatient mental health unit, Plaintiff denied thoughts of self-harm. Suicide watch was discontinued on December 14, 2020. Plaintiff remained in the inpatient unit until December 30, 2020, during which time, her medical records contain no reports of distress. Plaintiff described her major stressor as feeling bullied by staff and other inmates at Anson.

24. When Plaintiff learned that she would be sent back to Anson CI because she was not an appropriate candidate for long term admission into the inpatient mental health unit, she then began to threaten to kill herself if she was transferred back to Anson CI. Plaintiff articulated her desire to remain at NCCIW or be transferred to a different male facility rather than go back to Anson CI. Plaintiff repeatedly threatened self-harm if she was forced to go back to Anson CI. Plaintiff was transferred back to Anson CI on January 5, 2021. There is no record that Plaintiff attempted to harm herself upon her return to Anson CI.

25. To the best of my knowledge and information, there are no custody or operational records indicating that Plaintiff has attempted to mutilate her genitals or harm herself in any other manner.

Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct.

This the 14 day of July, 2022.


Christina Mingo
Security Specialist